

## AFFIDAVIT OF SUITABLE SERVICE

INDEX # 07CIV6780<sup>N</sup>U S District COURT OF THE STATE OF NEW YORK  
COUNTY OF SouthernThe Nyc District Council Of Carpenters Pension Fund  
Nyc District Council Of Carpenters Welfare Fund Et Al

- against -

Luigi Spagnolo Contractors

ODWYER & BERNSTEIN  
52 Duane St  
NEW YORK  
NY 10007

(212) 571-7100

Atty File #

Record # 88305

File # 87

STATE OF NEW YORK: COUNTY OF NASSAU: ss

Ricardo Curo #0943913 being duly sworn deposes and says deponent is not a party to this action and is over the age of eighteen years and resides in the state of New York:

That on 08/17/07 at 4:39pm at 363 Stanley Avenue Brooklyn Ny 11207 deponent served the within Summons &amp; Complaint in A Civil Action W/Judges' Rules on Luigi Spagnolo Contractors recipient therein named.

After your deponent was unable with due diligence to serve the recipient in person, service was made by delivering a true copy thereof to and leaving with "John Doe" Authorized Person a person of suitable age and discretion at 363 Stanley Avenue Brooklyn Ny 11207 said premises being the recipient's usual place of business within the State of New York.

Deponent completed service by depositing a copy of the Summons &amp; Complaint in A Civil Action W/Judges' Rules on 08/20/07 in a postpaid, properly addressed envelope by first class mail, bearing the legend Personal &amp; Confidential and not indicating legal action, in an official depository under the exclusive care and custody of the United States Post Office in the State of New York. Mailing was made to 363 Stanley Avenue Brooklyn Ny 11207

## Attempts:

A description of the person served on behalf of the defendant is as follows:

Approx Age: 40 Years Approx Weight: 165 Lbs. Approx Height: 5'6'  
Sex: Male Color of Skin: White Color of Hair: Brown  
Other: Refused To Give Full Name

Deponent spoke to "John Doe" - Authorized Person same as above,

confirmed the above address of defendant and asked whether defendant was in active military service of the United States or the State of New York in any capacity whatever or is a dependent of anyone in the military and received a negative reply and the defendant always wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in Federal statutes.

Sworn to before me this 08/20/07  
Maureen Scarola #01SC6127636  
Notary Public, State of New York  
Nassau County, Commission Expires 05/31/09

Ricardo Curo #0943913

Supreme Judicial Services, Inc.  
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255 Broadway - New York, N.Y. 10007 - (212) 319-7171  
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